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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 MARTICE RANSEY,

9 Petitioner,

2:15-cv-00919-RCJ-NJK

10 vs.

ORDER

11 ATTORNEY GENERAL, *et al.*,

12 Respondents.

13 _____/

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15 This action is a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 by
16 Martice Ransey, a Nevada prisoner. Ransey has paid the filing fee (ECF No. 4).

17 The court has reviewed Ransey's petition for a writ of habeas corpus pursuant to Rule 4 of
18 the Rules Governing Section 2254 Cases in the United States District Courts. The court will direct
19 the clerk of the court to serve the petition upon the respondents, and will require a response.

20 Ransey has filed a motion for appointment of counsel (ECF No. 2). The court will deny that
21 motion. "Indigent state prisoners applying for habeas corpus relief are not entitled to appointed
22 counsel unless the circumstances of a particular case indicate that appointed counsel is necessary to
23 prevent due process violations." *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir.1986) (citing
24 *Kreiling v. Field*, 431 F.2d 638, 640 (9th Cir.1970) (per curiam). The court may, however, appoint
25 counsel at any stage of the proceedings "if the interests of justice so require." *See* 18 U.S.C.
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1 § 3006A; *see also* Rule 8(c), Rules Governing § 2254 Cases; *Chaney*, 801 F.2d at 1196. The record
2 in this case reflects that appointment of counsel is not warranted.

3 **IT IS THEREFORE ORDERED** that petitioner's motion for appointment of counsel
4 (ECF No. 2) is **DENIED**.

5 **IT IS FURTHER ORDERED** that the clerk of the court shall separately file the petition for
6 writ of habeas corpus, which is currently attached to the application to proceed in forma pauperis
7 (ECF No. 1).

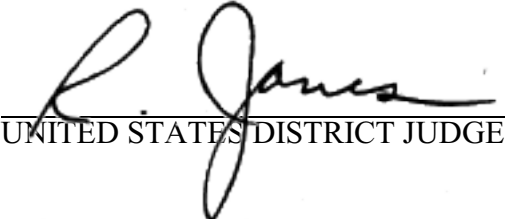
8 **IT IS FURTHER ORDERED** that the clerk of the court shall add Adam Paul Laxalt,
9 Attorney General of the State of Nevada, as counsel for respondents.

10 **IT IS FURTHER ORDERED** that the clerk of the court shall electronically serve upon
11 respondents a copy of the petition for writ of habeas corpus and a copy of this order.

12 **IT IS FURTHER ORDERED** that the clerk of the court shall return to the petitioner a copy
13 of his petition for writ of habeas corpus, with the service upon him of a copy of this order.

14 **IT IS FURTHER ORDERED** that respondents shall have 60 days from the date on which
15 the petition is served upon them to appear in this action, and to answer or otherwise respond to the
16 petition. Respondents shall, in the initial responsive pleading, whether a motion or an answer, raise
17 all potential procedural defenses, including the statute of limitations, lack of exhaustion, and
18 procedural default. If respondents file an answer, petitioner shall thereafter have 60 days to file a
19 reply.

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21 Dated this 6th day of July, 2015.

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24 UNITED STATES DISTRICT JUDGE
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